

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: August 9, 2007
TO: Elizabeth Maland, City Clerk
FROM: Gerri Bollenbach, Asst. Engineer
SUBJECT: Approval of the final map "Montecito Point"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "Montecito Point". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for September 4, 2007.

NOTICE of Pending Final Map Approval

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Montecito Point" (T.M. No. 10274 PTS No. 965730), located on the north side of Montecito Way between Third Avenue and Fourth Avenue in the Uptown Community Plan area in Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the maps or your appeal rights, please feel free to contact Anne Hoppe at (619) 446-5290.

cc: W.O. 426097 PTS No. 96573
Attachments: Vicinity map, reduced copy of map

002999

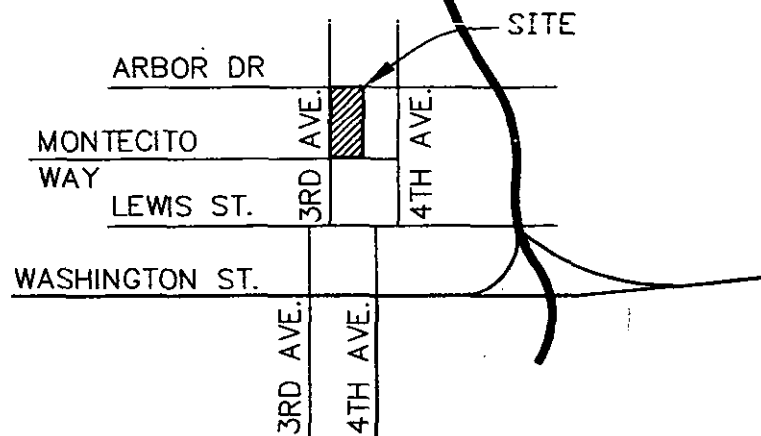
MONTECITO POINT

Vicinity Map

NO SCALE



163



003001

MAP NO. _____

OWNER'S STATEMENT:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND EMBRACED WITHIN THIS SUBDIVISION TO BE KNOWN AS MONTECITO POINT, AND HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 2 SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

IT IS OUR INTENT TO SUBDIVIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

BY: HILLOREST MONTECITO, L.P., A CALIFORNIA LIMITED PARTNERSHIP
BY: HUI GENPAR, LLC

BY: _____ DATE _____
GERRY A. KAROLAS, MANAGING MEMBER

SOUTHLAND TITLE OF SAN DIEGO AS TRUSTEE UNDER THAT CERTAIN DEED OF TRUST RECORDED AUGUST 21, 1998 AS INSTRUMENT NO. 1898-0533018 OF OFFICIAL RECORDS.

BY: _____ BY: _____

THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AS DISCLOSED BY DEEDS NOTED BELOW HAVE BEEN OBTAINED UNDER THE PROVISIONS OF SECTION 84630, SUBSECTION (4)(3)(A)(i) OF THE SUBDIVISION MAP ACT. THEIR INTERESTS ARE SUCH THAT THEY CANNOT MERGE INTO FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

CITY OF SAN DIEGO PUBLIC UTILITIES, INGRESS AND EGRESS
EASEMENT RECORDED APRIL 8, 1925 IN BOOK 1088 PAGE 37 OF DEEDS

SAN DIEGO GAS AND ELECTRIC COMPANY, HOLDER OF PUBLIC UTILITY
EASEMENT RECORDED MAY 4, 1925 IN BOOK 1087 PAGE 37 OF DEEDS

CITY OF SAN DIEGO, HOLDER OF STREET DEDICATION PER FIFTH STREET ADDITION
ACCORDING TO MAP THEREOF NO 877 RECORDED JANUARY 10, 1888.

SAN DIEGO GAS AND ELECTRIC COMPANY, HOLDER OF PUBLIC UTILITY
EASEMENT RECORDED OCTOBER 23, 1888 AS INSTRUMENT NO. 88-479840
OF OFFICIAL RECORDS.

AN EASEMENT FOR CREATION OF CABLE ACCESS AND INCIDENTAL PURPOSES,
GRANTED TO COX CABLE SAN DIEGO, INC. AND HUFFMAN/MONTECITO
ASSOCIATES LTD. PER DOCUMENT NO. 88-582381, RECORDED OCTOBER 26,
1988 OF OFFICIAL RECORDS.

NOTARY ACKNOWLEDGMENTS:

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.

ON _____ BEFORE ME, _____ A NOTARY
PUBLIC PERSONALLY APPEARED
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S)
IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR
AUTHORIZED CAPACITY (IES), AND THAT BY HIS /HER / THEIR
SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE
ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED
THE INSTRUMENT.

WITNESS MY HAND.

SIGNATURE _____

PRINT NAME _____
A NOTARY PUBLIC IN AND/FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS COUNTY OF SAN DIEGO.

MY COMMISSION EXPIRES: _____

SCHWERN & ASSOCIATES 814 MORENA BOULEVARD, SUITE 101
SAN DIEGO, CALIFORNIA 92110 TELE: (619) 220-4988 FAX: (619) 220-7028

MONTECITO POINT

BEING A CONSOLIDATION AND SUBDIVISION OF LOTS 1 THROUGH 12, INCLUSIVE, BLOCK 8, FIFTH STREET ADDITION, IN THE
CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 877, FILED IN THE
OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 10, 1888.

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 13550, ET SEQ. OF THE CIVIL CODE OF THE STATE OF
CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE PLANNING COMMISSION RESOLUTION NO. 3656-PC
FEBRUARY 10, 2005 APPROVES 72 CONDOMINIUMS.

SUBDIVISION GUARANTEE FURNISHED BY: UNITED TITLE COMPANY
ORDER NO. 40508241-40

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.

ON _____ BEFORE ME, _____ A NOTARY
PUBLIC PERSONALLY APPEARED
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S)
IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR
AUTHORIZED CAPACITY (IES), AND THAT BY HIS /HER / THEIR
SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE
ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED
THE INSTRUMENT.

WITNESS MY HAND.

SIGNATURE _____

PRINT NAME _____
A NOTARY PUBLIC IN AND/FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS COUNTY OF SAN DIEGO.

MY COMMISSION EXPIRES: _____

CITY CLERK CERTIFICATE:

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY
CERTIFY THAT THE CITY ENGINEER HAS APPROVED THIS SUBDIVISION
MAP. I ALSO CERTIFY THAT PROPER PUBLIC NOTICE HAS BEEN GIVEN
OF THAT APPROVAL ON _____, AND THAT THE LEGAL
APPEAL PERIOD HAS EXPIRED.

IN WITNESS WHEREOF THESE PRESENTS, I HEREBY EXECUTE AND
ATTEST BY SEAL THIS _____ DAY OF _____, 2007

ELIZABETH MALAND
CITY CLERK

BY: _____ DATE _____
DEPUTY

SHEET 1 OF 2 SHEETS

ENGINEER'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS
BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE
AT THE REQUEST OF HILLOREST MONTECITO, L.P. ON FEBRUARY 18, 2008. I
HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO
THE CONDITIONALLY APPROVED TENTATIVE MAP.

I WILL SET ALL MONUMENTS OF THE CHARACTER, AND AT THE
POSITIONS INDICATED BY THE LEGEND IN THIS MAP WITHIN TWO YEARS
OF THE RECORDATION OF THIS MAP UNLESS EXTENDED BY THE CITY
ENGINEER AND ALL SUCH MONUMENTS ARE OR WILL BE SUFFICIENT
TO ENABLE THE SURVEY TO BE RETRACED. (SEE LEGEND ON SHEET 2)

WALTER T. SCHWERN RCE 22138
REGISTRATION EXPIRES 9-30-2007

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY
DIRECT SUPERVISION; THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE
MAP, IF ANY; AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLIES
WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT
THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY
CORRECT.

I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER THE
STREET IMPROVEMENTS ACT OF THE STATE OF CALIFORNIA, AGAINST
THIS SUBDIVISION.

HOSSEN RUHL, CITY ENGINEER

BY: _____
LEROY C. HENNES, DEPUTY
P.L.S. 4804

DATE: _____

**CLERK OF THE BOARD OF
SUPERVISORS STATEMENT:**

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS,
HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT
(DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING
(A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE
OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES
EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA
CLERK OF THE BOARD OF SUPERVISORS

DATE: _____ BY: _____
DEPUTY

COUNTY RECORDER'S CERTIFICATE:

FILE NO. _____

I, GREGORY J. SMITH, COUNTY RECORDER OF THE COUNTY OF
SAN DIEGO, STATE OF CALIFORNIA, HEREBY CERTIFY THAT I HAVE
ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF
WALTER T. SCHWERN THIS _____ DAY OF _____, 2008,
AT _____ O'CLOCK _____ M.

GREGORY J. SMITH BY: _____
COUNTY RECORDER DEPUTY

FEE: \$ 10.00

T.M. 10274

PTS NO. 86573

J.O. NO. 428087

LC 714-1718

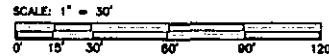
CCS 83: 1834-8281

023002

MAP NO. _____

SHEET 2 OF 2 SHEETS

MONTECITO POINT



LEGEND:

- INDICATES WILL SET LEAD AND DISC MKD. "RICE 22139" UNLESS OTHERWISE NOTED
- INDICATES FOUND LEAD & DISC MKD. CITY ENGR UNLESS OTHERWISE NOTED
- INDICATES SUBDIVISION BOUNDARY
- () INDICATES REFERENCE RECORD DATA PER MAP 577
- "CED" INDICATES LEAD & TACK STAMPED "CITY ENGINEER".

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM ZONE 6, EPOCH 1991.35, AND IS DETERMINED BY G.P.S. MEASUREMENTS TAKEN ON MAY 6, 2003 AT POINTS 'A' AND 'B' AS SHOWN HEREON. THE POINTS WERE ADJUSTED TO G.P.S. STATION 1062 AND G.P.S. STATION 3058 PER RECORD OF SURVEY 14492.

QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED GRID FACTOR AT STATION 'A' IS 0.99999670
GRID DISTANCE = GROUND X COMBINED GRID FACTOR

GENERAL NOTES:

- 1) TOTAL NUMBER OF LOTS: 1
- 2) TOTAL AREA WITHIN SUBDIVISION BOUNDARY: 0.689 AC.
- 3) ALL DISTANCES AND/OR STREET WIDTHS SHOWN WITHOUT DECIMALS REPRESENT THAT DISTANCE TO ZERO HUNDREDTHS.

EASEMENT NOTES:

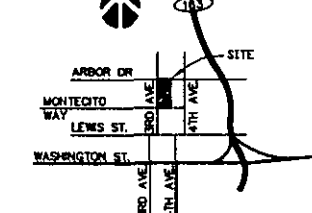
- A** AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SDG&E PER DOCUMENT RECORDED MAY 4, 1925 IN BOOK 1097 OF DEEDS, PAGE 37.
- B** AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, GRANTED TO SDG&E PER DOCUMENT NO. 86-479940, RECORDED OCTOBER 23, 1986 OF OFFICIAL RECORDS.

THE FOLLOWING EASEMENTS HAVE NO SET FORTH RECORD LOCATION AND CANNOT BE PLOTTED ON THIS MAP:

- 1) AN EASEMENT TO THE CITY OF SAN DIEGO FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED APRIL 8, 1925 IN BOOK 1099 OF DEEDS, PAGE 37.
- 2) AN EASEMENT FOR CREATION OF CABLE ACCESS AND INCIDENTAL PURPOSES, GRANTED TO COX CABLE SAN DIEGO, INC. AND HUFFMAN/MONTECITO ASSOCIATES LTD. PER DOCUMENT NO. 89-582391, RECORDED OCTOBER 26, 1989 OF OFFICIAL RECORDS.

VICINITY MAP

NO SCALE



CONVERGENCE ANGLE AT STATION "A"

